



**Testimony Concerning R.B. 5447
Before the Education Committee
March 14, 2018**

Dear Representative Fleischmann, Senator Slossberg, Senator Boucher, Representative Lavielle and members of the Education Committee,

Two weeks ago, the Auditors of Public Accounts issued three reports criticizing the Connecticut State Department of Education for lax oversight of private special education placements, local school boards for their cavalier approach to private placements, and private, approved special education placements for weak management structures and poor cost accounting. As a result of these reports, the Legislature is now moving Raised Bill 5447, a bill which does the following things:

1. Requires local school board to enter into contracts with private schools for any placement and makes clear that an IEP is not a contract.

2. Requires CSDE to promulgate a rate schedule, to include

"a percentage limitation on the amount that a private provider of special education may allocate for administrative costs,

"standards for the provision of such services,

"guidelines to assist local and regional boards of education in selecting and approving such services and

"guidance on how such services are to be documented by private providers of special education services."

3. Required audits of all private schools that are subject to school district contracts or otherwise are recipients of any State or local funds. The audit cannot be more frequently than every five years unless the auditors find issues with the particular school.

SEEK of CT is a statewide organization of parents of children with disabilities, and professionals, attorneys and advocates who support and advocate for children with disabilities. The members of SEEK support high quality public special education, but recognize that, for some children, placement in a public school cannot provide an appropriate education. We, therefore, also work with private schools, some on the state approved list and others not.

Based on that experience, we urge the Committee to provide an opportunity to discuss Raised Bill No. 5447 before rushing to passage. The bill would implement the recommendations

of the Auditor of Public Funds. Such recommendations may make great sense from an auditing perspective. But, those recommendations lack the benefit of on-the-ground experience of working with CSDE, local school boards, and private schools.

SEEK of CT cannot support R.B. 5447 in its current form. We are in complete accord with the notion that public funds need to be spent with openness, monitoring, and statutory compliance. We know from our own experience that many of the findings of the Auditor of Public Funds are accurate. The sloppiness with the CSDE and local school boards deal with private schools is not defensible. And, it is true that some private schools do not operate with the management discipline that is required. Of course, it appears paradoxical that the legislation limits administrative expenses while requiring a far higher level of administrative discipline.

More fundamentally, the establishment of a rate schedule is a major change in how special education has operated in Connecticut. Imposing such a schedule will surely have ramifications on the entire IEP process and may result in erosion of the individualization required by the Individuals with Disabilities Education Act. The legislature needs to explore those ramifications before moving ahead with such a major change.

We ask for the opportunity to work with you to craft legislation to allow us to work to better balance the burden on private schools with the reforms needed for proper expenditure of public funds.

Sincerely yours,

/s/

Julie Swanson
President